

**CENTRAL INTELLIGENCE AGENCY**

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USE OF TRAINED INTELLIGENCE ANALYSTS

SOURCE Chinese periodical, Taiwan Government Gazette, No 2, 16 May 1947. (FDB Per  
Abs 14025 -- Translation specifically requested.)

LAW CONCERNING ELECTION AND DISMISSAL

OF CONTROL YUAN MEMBERS

(Promulgated 31 March 1947)

## Article 1

Election and dismissal of Control Yuan members shall follow the provisions of the constitution and of this law.

## Article 2

Members of the Control Yuan shall be elected by provincial and municipal councils, by Mongol and Tibetan local councils, and by overseas Chinese associations according to the number provided in Article 91 of the constitution. (Before provincial and city councils have been established, first-term Control Yuan members shall be elected by existing advisory councils in each province and municipality, as provided in the preparatory rules for implementing the constitution, to hold office until members are elected by the regular councils.) In Mongolia, before local councils are regularly established, Control Yuan members shall be elected by groups of delegates from each banner of each combined voting district. Each group of banner delegates shall consist of one delegate from each banner, and four delegates from each special banner. The delimitation of the combined voting districts and the apportionment of members shall be decided according to Appendix I.

In Tibet, before local councils are regularly established, Control Yuan members are to be elected according to the schedule already set up for electing delegates to the People's Assembly for framing the constitution. Apportionment of members is to be as follows: by local elections in Tibet, 5; by Tibetans sojourning in China, 3.

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Control Yuan members from among overseas Chinese citizens shall be elected by overseas Chinese associations in each voting district as provided in Appendix II. The combined associations in each voting district shall each elect one member.

Overseas Chinese associations are limited to those formed of Chinese citizens residing abroad, legally organized, or with applications already pending before the Overseas Affairs Commission.

### Article 3

Among the seats apportioned to each province, one shall be for a woman.

### Article 4

Each provincial and municipal council, Mongolian and Tibetan local council, and body of overseas Chinese shall severally hold an election assembly for electing Control Yuan members. The date for convening the assembly and casting ballots shall be determined by decree.

### Article 5

The voters who elect Control Yuan members shall be the councilors each province and municipality, councilors in Mongolian or Tibetan local councils, and delegates of the overseas Chinese associations in the various voting districts. Those who belong to two or more associations should make the fact known to the election officials and choose one for election purposes.

Before provincial and municipal councils, or Mongolian or Tibetan local councils, are regularly established, existing councilors and delegates of each banner in each election district shall be the voters.

### Article 6

Those who legally have the franchise and who are 25 years of age are eligible for election as Control Yuan members; candidates for election as Control Yuan members from overseas must have resided in the same voting district for an aggregate of 3 years or more.

Each nomination of a candidate in a province or municipality in Mongolia or Tibet must have five or more signatures, and among overseas Chinese, 30 or more. For Mongolian members of the Control Yuan, at the time of election by the delegates of each banner in each voting district, nominations should have the signatures of 30 or more legal Mongol voters, besides those of the delegates.

The above limitations as to number of signatures do not apply in the case of women candidates.

### Article 7

The following persons ex-officio shall severally be directors of the election of Control Yuan members:

1. In the provinces and municipalities, the highest local government executive official.

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2. In Mongolia, the chairman of the Mongolian-Tibetan Affairs Commission, or his proxy.

3. In Tibet, the chairman of the Mongolian-Tibetan Affairs Commission, or his proxy.

4. Among overseas Chinese bodies, persons indicated in Appendix III.

#### Article 8

Each provincial, municipal, Mongolian, or Tibetan council when convened for voting shall on the third day complete the nominations, which shall be made public by the election director.

Ten days before holding the overseas Chinese associations elections, the lists of candidates shall be completed and made public by the election director. The list of candidates should be arranged in order of the number of signatures to their nomination; names of women candidates should be so indicated.

#### Article 9

The voters will vote by secret ballot for one person at a time by encircling one name on the list of candidates.

#### Article 10

Of the five Control Yuan members from each province, the four male candidates receiving the highest number of votes shall be considered elected; the remaining member shall be the one woman among the women candidates who receives the highest number of votes.

#### Article 11

Not more than one member of a provincial or municipal council may be elected as a Control Yuan member.

#### Article 12

After the Control Yuan members are elected, the respective directors of elections in the provinces, municipalities, Mongolian, Tibetan, and overseas Chinese groups, shall severally issue certificates of election (to each elected candidate) and report the same to the government.

#### Article 13

If a Control Yuan seat becomes vacant, the date for the election of his successor shall be determined by decree. The successor shall hold office in the Control Yuan only through the remainder of (his predecessor's) original term.

#### Article 14

No appeal may be made for the dismissal of a Control Yuan member who has been in office less than 6 months.

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Article 15

One fourth or more of the voters in the body electing a Control Yhan member may present a petition for his dismissal over their joint signatures. When the delegates of banners in a combined voting district in Mongolia form the elective body, the one-fourth joint signers of a petition for dismissal may not be all from one banner. Among overseas groups, the one-fourth signers shall be reckoned according to the total number of ballots cast in the original election meeting.

Article 16

A petition for dismissal shall state the reasons and be sent to the head of the provincial or municipal assembly or council which originally made the election, or to the head of the Mongolian-Pibetan Affairs Commission, or to the Overseas Chinese Affairs Commission.

Article 17

Within 30 days of receiving the petition, and after ascertaining by investigation that the signatures are authentic and the number as legally required, the council or commission head referred to in the preceding article shall inform the Control Yhan member whose dismissal is requested by delivering to him a copy of the petition, and within 30 days shall call a meeting to consider dismissal.

Article 18

The Control Yhan member whose dismissal is requested may, within 10 days of receiving notification of the petition, present a rejoinder and send it to the council or commission head receiving the petition for dismissal. The two documents shall be published simultaneously by said council or commission head.

Article 19

The motion for dismissal shall be passed by a majority approving by secret ballot.

Article 20

After the motion for dismissal has been passed, the chairman or chief shall forthwith make public announcement of same and hold an election to fill the vacancy in accordance with the law.

The successor shall not hold office longer than for the remainder of the original term.

Article 21

If the motion for dismissal is not sustained, the original signers may not again ask for the dismissal of the same member during the original term of office.

Article 22

The provisions of this law, before provincial and city councils and Mongolian

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local assemblies are formally set up, are applicable to existing provisional councils and to banner delegates' assemblies of combined voting districts in Mongolia.

Article 23

Violations of criminal law in connection with elections and dismissals shall be dealt with according to criminal law.

Article 24

Rules for implementing this law shall be separately determined.

## APPENDIX I

Delimitation of combined voting districts in Mongolia and apportionment of seats for members of the Control Yuan.

1. Cherim League, KuLun Buir Tribe, I-k'e-ming-an Banner, one seat.
2. Ghosotu League, Chaouda League, one seat.
3. Silingol League, Chahar Eight Banners, one seat.
4. Ulan Chap League, Ikh Chao League, one seat.
5. Kusi-lu Tumet Special Banners, East Suinyan Four Banners, one seat.
6. Alashan, Hoshot Special Banners, Edisui old Tourgoth (?) Banners, one seat.
7. Tsinghai, Left Wing and Right Wing Leagues, one seat.
8. Bato Setkhiltu Middle Road, Unen Su Suktu Fourth Road, and Ch'ing Setkhiltu Leagues, one seat.

## APPENDIX II

Delimitation of voting districts of overseas Chinese for electing Control Yuan members and apportionment of seats.

Voting Districts	Countries included	Seats in Control Yuan
1	US, Canada, Hawaii	1
2	Central and South America, Cuba, Mexico, and adjacent regions	1
3	Malaya and North Borneo	1
4	East Indies, South Borneo, Portuguese Timor and adjacent regions	1

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Countries  
included

Seats in  
Control Yuan

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Voting  
Districts

5	Siam	1
6	Australia, Philippines, Tahiti, Japan, Korea, Europe (including Soviet Asia), Africa, and adjacent regions	1
7	Indochina, Burma, India, and Southeast Asia	1
8	Hong-Kong and Macao	1

## APPENDIX III

Directors of elections in the voting districts of Overseas Chinese for  
electing Control Yuan members.

Voting Districts

1  
2  
3  
4  
5  
6  
7  
8

Election Directors

Consul general, Chicago  
" " Havana  
" " Singapore  
" " Batavia  
" " Bangkok  
" " Sydney  
" " Saigon  
Chairman, Chi-  
nese Chamber  
of Commerce Hong-Kong

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